This application has been carefully reviewed in light of the Office Action dated August 7, 2008. Claims 16, 20 and 21 are in the application, all of which are independent claims. Reconsideration and further examination are respectfully requested.

Claims 16, 20 and 21 were rejected under 35 U.S.C § 102(e) over U.S. Patent No. 6,980,319 (Ohta). The rejections are respectfully traversed and it is requested that the Examiner reconsider and withdraw the rejections in light of the following comments.

The present invention relates to a communication apparatus (e.g., a client terminal) that communicates with an information providing apparatus (e.g., a web server) and which is directly connected to a printer. In the invention, when printing is to be invoked, the client terminal receives, from the web server, a recommended printing condition list which includes at least one of a model of a printer, paper size, a type of paper, and a layout as a printing condition for printing downloaded image data. The client terminal also acquired, from a printer driver corresponding to the connected printer, stored in the client, available printing condition information concerning the connected printer. Based on both of these two pieces of information, the client terminal creates a printing condition selection list and displays the created printing condition selection list on a screen. When the user selects a printing condition from the displayed list, the client terminal then generates print data from the downloaded image data using the stored printer driver program.

Thus, the printing condition selection list is generated based on 1) the recommended printing conditions, which are recommended by the server, and 2) the capability of the printer, based on the available conditions obtained from the printer driver.

Referring specifically to the claims, amended independent Claim 16 is directed to a communication apparatus, that communicates with an information providing apparatus via a network and directly connects to a printer, comprising a download unit configured to download image data from the information providing apparatus, a storage unit configured to store a printer driver program which corresponds to the connected printer, a reception unit configured to receive, from the information providing apparatus, a recommended printing condition list which includes at least one of a model of a printer, paper size, a type of paper, and a layout as a printing condition of printing the downloaded image data, an acquisition unit configured to acquire available printing condition information concerning the connected printer from the printer driver program stored in the storage unit, a creation unit configured to create a printing condition selection list by using the recommended printing condition list received by the reception unit and the available printing condition information acquired by the acquisition unit, a display control unit configured to display the created printing condition selection list on a screen, a condition selection unit configured to select a printing condition from the printing condition selection list displayed by the display control unit, and a generation unit configured to generate print data from the image data downloaded by the download unit, on the basis of the printing condition selected by the condition selection unit, by using the printer driver program in the storage unit.

Claims 20 and 21 are method and computer medium claims, respectively, that substantially correspond to Claim 16.

The applied art of Ohta is not seen to disclose or to suggest the features of the invention, and in particular, is not seen to disclose or to suggest at least the features of a communication apparatus i) receiving, from an information providing apparatus, a recommended printing condition list which includes at least one of a model of a printer, paper size, a type of paper, and a layout as a printing condition of printing downloaded image data, ii) acquiring available printing condition information concerning a directly connected printer from a printer driver program stored in a storage unit, iii) configured to creating a printing condition selection list by using the received recommended printing condition list and the acquired available printing condition information, iv) displaying the created printing condition selection list on a screen, v) selecting a printing condition from the displayed printing condition selection list, and vi) generating print data from the downloaded image data on the basis of the selected printing condition by using the printer driver program.

Ohta is seen to be directed to a remote printing system that allows a user to send a print job from a portable digital device (PDD) to a print station for printing. In Ohta, an in particular, Fig. 23B and column 22, lines 25 to 67 as relied upon in the Office Action, the PDD receives printing capability information from each of printing stations 12A, 12B and 12C. If the print job is be a color copy, then the PDD determines, based on the received printing characteristics of each of the print stations, which station is capable of printing the color copy and selects that station.

The Office Action alleges at page 4 that this feature of Ohta corresponds to the claimed element of the communication apparatus (client) receiving a recommended printing condition list from the information providing apparatus (server). However, it is quite clear that what is being obtained by the PDD is not a recommended printing condition list, but rather, capabilities of the printers. Therefore, at best, what this portion of Ohta may be seen to correspond to would be acquiring capability information of the printers. In the invention, however, this information is obtained in the claimed acquiring step and the information is acquired from a printer driver program stored internally in the communication apparatus. In contrast, the print station capability information in Ohta is obtained via the network from the print stations. Thus, the cited portion of Ohta fails to teach the claimed process of receiving the recommended printing condition list from the server, and also fails to teach the claimed acquiring step of acquiring available print condition information for a directly connected printer from an internally stored printer driver program corresponding to the connected printer. Moreover, Ohta fails to created the selection list as claimed and fails to display the created selection list as claimed. Therefore, the present invention is not anticipated by Ohta.

In view of the foregoing amendments and remarks, Claims 16, 20 and 21 are believed to be allowable.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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